

# Planned Unit Developments

## Description

A Planned Unit Development (PUD) is a type of development approved through a special process designed to allow flexibility in the zoning process to encourage innovative land use and development. A PUD may include varied and compatible land uses, such as housing, recreation, and commercial centers within one defined development or subdivision. In Indiana, the base requirements and process for a Planned Unit Development are generally established in the zoning ordinance. A PUD involves both a plan with development standards and a zone map amendment (rezoning), it is a combined subdivision, development plan review, and zone map amendment (rezoning). Planned Unit Development zoning encourages:

1. A mix of land uses and dwelling types, generally with at least one non-residential land use;
2. The clustering of residential land uses providing public and common open space;
3. Quality site planning and design;
4. Implementation of the community comprehensive plan or vision;
5. Aesthetically pleasing environments through architecture and landscape improvements; and,
6. Preservation of natural areas.

PUDs take on a variety of forms ranging from small clusters of houses combined with open space (though not all cluster subdivisions are PUDs) to new and developing towns with thousands of residents and various land uses. There are no limitations to how large or small a PUD district may be, although a PUD is typically a larger tract of land that is capable of accommodating varied land use.

## PUD Requirements

1. The land designated in the PUD request must be under single ownership or have written permission from the land owners within the proposed PUD area.
2. The PUD plan must show the different land uses and provide development standards that will regulate those land uses. PUDs should comply with or surpass the development standards established for zoning districts with similar uses in the community.

## Procedure for Approval

While each community may have its own specific process for Planned Unit Development, below are the typical steps of applying for and approving a PUD.

1. Prior to any application filing, the applicant requests a pre-application conference with the planning staff. The purpose of this meeting is to discuss the filing policies and procedures, and to allow the applicant a chance to present general plan concepts.
2. The applicant submits the preliminary plan and application for zone map amendment (rezoning) to the planning staff.
3. If the application packet is complete, the planning department and city engineer review the preliminary plan and application and make findings and recommendations. The recommendations are forwarded to the Plan Commission.
4. The Plan Commission holds a public hearing where a vote will be held by the Plan Commission for preliminary plan approval.
5. If approved or approved with modifications, the Plan Commission certifies the preliminary plan and recommendation for zone map amendment (rezoning) and forwards it to the appropriate legislative body (town board, city council, or county commissioners) for their approval.
6. Following legislative approval, the preliminary plan becomes effective and must be shown on zoning maps. Development within this boundary is now subject to the approved planned unit development plan and development standards.

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7. Final Plan Approval follows the preliminary plan approval. The final plan should show exact building locations, site improvements, and development standards for the entire planned unit development.
8. Final plan approval involves:
  - a. Staff final review - site plan review by planning staff
  - b. Staff Approval - recommendations from the staff given to Plan Commission for final approval. In communities where final (secondary) subdivision review has been delegated to the planning staff or plat committee, the same process may be used for Planned Unit Development final approval.
  - c. Plan Commission Approval - the signature of the Plan Commission is required before the final plat is approved. No public hearing is required for final approval.
9. After final approval, the plat should be recorded with the county recorder within the time frame specified in the zoning ordinance.

### Relevant Statutes

- IC-36-7-4-1500 Series Planned Unit Developments

### Capacity Recommendations

A Plan Commission with available staff and resources should be in place for review and to make recommendations. In order to have zoning, and therefore a PUD district, a plan commission and Board of Zoning Appeals is required by Indiana Code. Since the PUD process can be challenging to administer, it is recommended that a community have planning staff or consultant assistance to review and make recommendations on proposed PUDs.

### Guidelines / Considerations for Implementation

- Planned Unit Development regulations should be included as part of a zoning ordinance.

### Example Ordinances

- **City of Shelbyville, Indiana** – Planned Unit Development Application Package: This is an example of an application for the preliminary plan approval for a Planned Unit Development. [\[http://www.cityofshelbyvillein.com/images/PlanCommission/PUD\\_App.pdf\]](http://www.cityofshelbyvillein.com/images/PlanCommission/PUD_App.pdf)
- **Porter County, Indiana – Planned Unit Development Code:** This is an example of a planned unit development section in a zoning ordinance for a county Advisory Plan Commission. [\[http://www.porterco.org/code.html?t=17&c=024\]](http://www.porterco.org/code.html?t=17&c=024)
- **Hancock County, Indiana** – Planned Unit Development Code: This is an example of a planned unit development section in a zoning ordinance for a county Area Plan Commission. [\[http://www.amlegal.com/nxt/gateway.dll/Indiana/hancockco\\_in/titlexvlandusage/chapter156zoning?f=templates\\$fn=altmain-nf.htm\\$3.0#JD\\_156.050\]](http://www.amlegal.com/nxt/gateway.dll/Indiana/hancockco_in/titlexvlandusage/chapter156zoning?f=templates$fn=altmain-nf.htm$3.0#JD_156.050)
- **City of Bloomington, Indiana** – Planned Unit Development Code: This is an example of a planned unit development section in a zoning ordinance for a city (second class). [\[http://bloomington.in.gov/egov/docs/1170861225\\_677715.pdf\]](http://bloomington.in.gov/egov/docs/1170861225_677715.pdf)
- **Town of Avon, Indiana** – Planned Unit Development Code: This is an example of a planned unit development section in a zoning ordinance for a town. [\[http://www.avongov.org/egov/docs/18761160491383.pdf\]](http://www.avongov.org/egov/docs/18761160491383.pdf)

### Example Studies

No example studies are available for this tool.

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## Helpful References and Links

- **University of Wisconsin Stevens Point –Center for Land Use Education Publication:** This publication is a tool for cities to use to create PUD ordinances. While it does not specifically utilize Indiana Code, it can be used as a reference. [\[http://www.uwsp.edu/cnr/landcenter/pdffiles/implementation/PUD.pdf\]](http://www.uwsp.edu/cnr/landcenter/pdffiles/implementation/PUD.pdf)
- **APA Public Advisory Service Report 545 – Planned Unit Developments:** This report distributed by the American Planning Association Planning Advisory Service provides guidance for revising ordinances to deal with a new generation of PUDs primarily relating to residential master plans. This report is available for \$48.00 from the APA website. [\[http://www.planning.org/apastore/Search/Default.aspx?p=3673&a=1003\]](http://www.planning.org/apastore/Search/Default.aspx?p=3673&a=1003)

## Helpful Contacts

- Indiana Land Use Consortium is made up of different business, development, government, and education representatives from throughout Indiana. Its purpose is to offer educational information and discussion for land use policy in the state that are guided by a list of principles on their website. [\[http://www.indianalanduse.org/index.html\]](http://www.indianalanduse.org/index.html)

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- Purdue University Community Extension Services – Land Use Team: The Purdue Land Use team offers resources to help communities address land use issues. The team provides educational resources and a variety of programs for citizens, local officials, and other development groups. [\[http://www.ces.purdue.edu/landuse/index.html\]](http://www.ces.purdue.edu/landuse/index.html)

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- Center for Urban Policy and the Environment – As part of the School of Public and Environmental Affairs at IUPUI, this organization can assist in a variety of planning related matters. [\[http://www.urbancenter.iupui.edu/About-TheCenter/\]](http://www.urbancenter.iupui.edu/About-TheCenter/)

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## Other Possible Funding Sources

No other funding sources have been identified for this tool.

## Planned Unit Developments

### **Program Objectives and Issues Addressed**

- Growth Management
- Implementation of plans
- Code/ policy enforcement
- Vision of development and growth
- Regulatory issues
- Zoning ordinance
- Subdivision control
- Development plan approval

### **See Also**

- Zoning ordinance
- Cluster development
- Traditional Neighborhood Design